IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6824 OF 2007

Ujwala S. Shelke.] .. Petitioners

Versus

1. State of Maharashtra & Anr.] .. Respondents

Mr. Shivajirao Masal for the petitioner.

Mr. R.D. Rane, GP, for the respondents No.1.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 17TH SEPTEMBER, 2007

P.C. :

1. Heard learned counsel for the petitioner. The petitioner has approached this Court for reinstatement in service with full back wages with effect from 23rd November, 1996.

2. The petitioner had previously approached the Labour Court for the order of reinstatement. By a Purshis dated 14th July, 2005, the petitioner withdrew the said dispute before the Labour Court for approaching another forum. Probably, the petitioner wanted to approach the School Tribunal at that time and, therefore, withdrew the dispute before the Labour Court.

She did not approach the School Tribunal nor did she approach any other competent Court or Tribunal for seeking an order of reinstatement.

3. The petitioner has now approached this Court directly for a Writ of mandamus for her reinstatement. In our view, such order cannot be passed. The petitioner had an alternative remedy. She availed of it and withdrew it half-way with a view to pursuade another remedy which she did not pursue at all. In the circumstances, the Writ Petition is rejected summarily.

[D.G. KARNIK, J.] **[S.B. MHASE, J.]**